



# BULLETIN

## MAXIMUM WEEKLY INCOME BENEFIT INCREASES TO \$508

**E**ffective January 1, 2001, the maximum weekly income benefit under the Nebraska Workers' Compensation Act increased to \$508.00. This amount applies to work-related injuries and illnesses occurring on or after January 1, 2001. This amount equals 100 percent of the state average weekly wage as determined by the Nebraska Workers' Compensation Court. The maximum is set according to a statutory formula.

The previous maximum weekly income benefit levels will continue to apply to work-related injuries and illnesses occurring during their effective dates. The minimum weekly income benefit remains at \$49.00. ❖

## MILEAGE REIMBURSEMENT RATE INCREASES

**E**ffective January 1, 2001, the mileage reimbursement rate increased to 34.5¢ per mile for travel to seek medical treatment or while participating in a vocational rehabilitation plan. This conforms to the reimbursement rate paid to State of Nebraska employees. ❖

State Capitol Building, Lincoln, NE 68509  
800-599-5155 (toll free in Nebraska only)  
402-471-6468 (Lincoln and out-of-state)  
<http://www.nol.org/workcomp/>



## NEW REPORTING RULES ADOPTED

**T**he Nebraska Workers' Compensation Court adopted new reporting requirements for compensation and expense payments and a corresponding new Form 4 at a public hearing on Dec. 19, 2000. The court's current Form 4, **Compensation and Expense Report**, will remain in effect through June 30, 2001. A new Form 4, **Subsequent Report** (a copy of which is on page 5 and 6), will become effective on July 1, 2001. Following are the rules regarding the new Form 4.

- A. Subsequent Report shall be filed with the court by the insurer, risk management pool, or self insured employer. Such Subsequent Report shall be filed:
  1. Within 14 days following initial payment of compensation, whether such compensation is for weekly income or non-weekly income benefits.
  2. Within 14 days following the denial of a claim or a change to a previous report.
  3. On the semi-annual anniversary of the date of injury, and every 180 days thereafter until the case is closed.
  4. Within seven working days following the closing of any case for which benefits have been paid.
  5. Within 14 days following payment pursuant to a final order, award, or judgment of the court, including an order approving a lump sum settlement or settlement agreement.
  6. Within 30 days of receipt from the court of a notice of error and request for correction of a previously filed subsequent report.
- B. Regardless of the reporting requirements of this rule, nothing shall delay the prompt and proper payment of compensation.
- C. On all Subsequent Reports filed with the court, complete and accurate cumulative weekly, medical, hospital, vocational rehabilitation and other expense information shall be included.
- D. The Subsequent Report shall be filed in writing or by electronic means, if such electronic means and the content of the electronic filing is approved by the court. Written reports shall be made by means of the Subsequent Report (Form 4). Facsimile copies will not be accepted. Blank forms for written reports are furnished by the court upon request.
- E. Beginning no later than July 1, 2002, all Subsequent Reports filed by or on behalf of an insurer, risk management pool, or self insured employer shall be filed electronically in the form and manner and to include the content prescribed by the compensation court. No report filed by electronic means shall be deemed filed until the electronic transmission has been received and accepted by the court. ❖

## NOTICE REGARDING NWCC RECORD SEARCHES

**E**ffective February 1, 2001, changes regarding record search procedures and requests will include the following options:

- **A five-year search.** This search will include information from the previous five years. The cost for this search will be \$5.00.
- **A 10-year search.** This search will include information from the previous 10 years. The cost for this search will be \$10.00.
- **A full search.** If you request this search, you must include ei-

ther specific date(s) of injury and/or docket/page numbers. Court records used to locate specific files prior to the past 10 years do not allow an accurate search without this information. The cost for this search will be \$15.00.

Any request for a record search received without a social security number can not be processed.

All other aspects of record searches and requests for record searches will remain unchanged.

After February 1, 2001, all requests will be processed as either

a five-year search, a 10-year search, or a full search based on the dollar amount received. If a more extensive search is needed, a new request must be submitted along with the specific information and the amount due for that search. A copy of the new Record Search Request form is on the next page.

For additional information, please contact Su Perk Davis, Public Information Manager, at 402-471-6455. ♦

## NATIONAL CENSUS OF FATAL OCCUPATIONAL INJURIES, 1999

**T**he number of fatal work injuries that occurred during 1999 was 6,023, nearly the same as the previous year's total despite an increase in employment, according to the Census of Fatal Occupational Injuries, conducted by the Bureau of Labor Statistics, U.S. Department of Labor.

Decreases in job-related deaths from homicides and electrocutions in 1999 were offset by increases from workers struck by falling objects or caught in running machinery. Homicides fell from the second-leading cause of fatal work injuries to the third, behind highway fatalities and falls. Construction reported the largest number of fatal work injuries for any industry and accounted for one-fifth of the fatality total.

### PROFILES OF 1999 FATAL WORK INJURIES

Highway crashes continued as the leading cause of on-the-job fatalities during 1999, accounting for one-fourth of the fatal work injury

total. The number of these fatalities increased slightly over 1998 to reach the highest level since the BLS fatality census began in 1992. Slightly over two-fifths of the 1,491 victims of job-related highway fatalities were employed as truck drivers.

In contrast to fatalities resulting from crashes that occurred on public roadways, the number of workers killed in nonhighway crashes and overturnings or killed after being struck by a vehicle declined from the previous year. The number of workers killed in air, water, and rail vehicle incidents during 1999 was about the same as in 1998.

In 1999, deaths resulting from on-the-job falls increased slightly to 717. This increase, coupled with a decline in homicides, made falls the second-leading cause of fatal work injuries for the first time since the fatality census began in 1992. About half of the fatal falls were from a roof, ladder, or scaffold, and slightly over half of the fatal falls occurred in the construction industry.

Now the third-leading cause of on-the-job deaths, workplace homicides fell to the lowest level since the fatality census' inception in 1992. Job-related homicides totaled 645 in 1999, a 10 percent drop from the 1998 total and a 40 percent decline from the 1,080 homicides that occurred in 1994, which had the highest count in the eight-year period. The drop in homicides at work was most pronounced in retail trade, where homicides fell by 51 percent from 1994.

Among the job-related homicides for which a motive could be ascertained from the source documents, robbery continued to be the primary motive, followed by violence by co-workers and customers or clients. Occupations with high numbers of homicides include those that typically engage in cash transactions or have valuables on hand, including managers of food and lodging establishments, sales supervisors and

... CONTINUED ON PAGE 7

# NEBRASKA WORKERS' COMPENSATION COURT

P.O. BOX 98908  
LINCOLN NE 68509-8908

## Record Search Request

A data bank search for reports of injuries/illnesses and/or subsequent reports for any individual is available from the Nebraska Workers' Compensation Court on a non-priority basis. Costs for a search are as follows:

**Five year search** - \$5.00 per individual

**Ten year search** - \$10.00 per individual

**Full Search** - \$15.00 per individual (search request for records over 10 years old must be accompanied by specific date(s) of injury or docket/page numbers. Court records used to locate specific files prior to 10 years do not enable us to process an accurate search with out this information.)

Fees for searches must be paid prior to the search. Should the search require photocopying over 20 items, additional charges of \$.25 per page for photocopies and \$.50 per page for microfilm copies will be billed to you. The following information is required to process your request in a timely manner.

(Please type or print information)

NAME OF INDIVIDUAL: \_\_\_\_\_  
First Name Middle Initial Last Name

SOCIAL SECURITY NUMBER: \_\_\_\_\_  
(Search requests submitted without a social security number cannot be processed)

DATE OF BIRTH (If available): \_\_\_\_\_

### TYPE OF SEARCH:

\_\_\_\_\_ FIVE YEAR

\_\_\_\_\_ TEN YEAR

\_\_\_\_\_ FULL SEARCH

Date(s) of accident/illness: \_\_\_\_\_

Docket/Page #: \_\_\_\_\_

Please state which information you are requesting:

\_\_\_\_\_ First Report Forms (first report of accident filed by employer)

\_\_\_\_\_ Form 4's (medical payments, temporary & permanent disability payments, etc.)

\_\_\_\_\_ Medical Information (must include medical release signed by employee)

\_\_\_\_\_ Other reports (please specify): \_\_\_\_\_

Additional information you wish to provide:

### SEND RECORD SEARCH RESULTS TO:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone ( ) \_\_\_\_\_

(Rev. 01/00)

# NEW AND REVISED PUBLICATIONS AVAILABLE FROM THE NEBRASKA WORKERS' COMPENSATION COURT

A number of publications revised and updated during the past few months are available from the Nebraska Workers' Compensation Court.

Most recently back from the print shop is the court's *58th Annual Report* (\$5 each), *Law Book, 2000* (\$8.50 each), and *Rules of Procedure, December 2000* (\$7 each). Also, the court's Form 1, *First Report of Alleged Occupational Injury or Illness*, has been revised. Effective July 1, 2001 the new Form 4, *Subsequent Report*, will replace the current Form 4, *Compensation and Expense Report*. For specific information regarding filing requirements for the new Form 4, please refer to the related article on page 1. These forms are available at no charge.

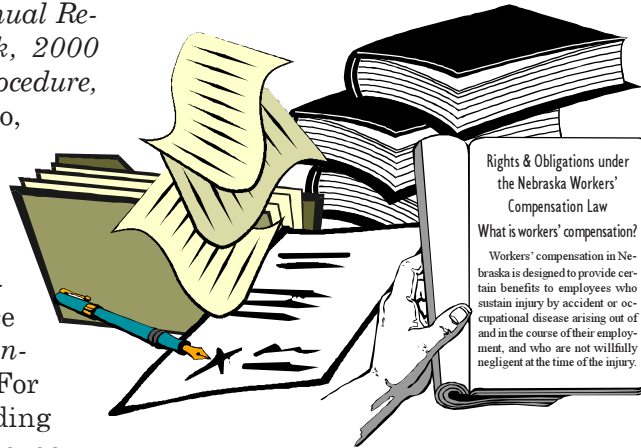
To order any of the court's publications or forms send a written request along with a check or money order for the total amount to the Nebraska Workers' Compensation Court, P. O. Box 98908, Lincoln, NE 68509-8908. For more information, please call the court's toll-free information line (800) 599-5155 (in Nebraska only), or (402) 471-6468 (for Lincoln and out-of-state callers).

The court also has a subscription service available. For an annual fee of \$30 the court will mail the following publications to you as they are updated after your subscription is received: the *Law Book*, *Rule Book*, *Bulletin*, *Annual Report*, *Rights & Obligations under the Nebraska Workers' Compensation Law* (pamphlets in English and Spanish), *Choosing a Doctor for a Work-Related Injury* (pamphlets in English

and Spanish), *Vocational Rehabilitation Services under Workers' Compensation* (pamphlets in English and Spanish), and court press releases. **Please note that the**

**court's subscription service does not include the Schedule of Medical and Hospital Fees.** To take advantage of this service, send in a written request including your company's name, contact person, address and phone number, along with a check or money order in the amount of \$30 made out to the court.

Most of the publications and forms produced by the Nebraska Workers' Compensation Court, as well as information regarding the court's operations, are also available through our Internet web site at: <http://www.nol.org/workcomp/>. ♦



## HAVE YOU VISITED OUR WEB SITE YET?

Several publications and forms produced by the Nebraska Workers' Compensation Court, as well as information regarding the court's operations, are available on the court's Internet web site at:

**<http://www.nol.org/workcomp/>**

A recent addition to our web site is an online service which provides automatic notice, by email, of the court's Electronic Data Interchange Advisories as well as updates to the "What's New" page.

**Subscribe today!**

**Nebraska Workers' Compensation Court****Order Form****(No Charge Items)****Ship To:**

Name \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_

Nebraska Workers' Compensation Court

P. O. Box 98908

Lincoln, NE 68509-8908

**(402) 471-6468** (Lincoln & out-of-state)**(800) 599-5155** (Nebraska only)**OFFICE USE ONLY**

Paid by:	Check	_____
	Cash	_____
	Mailed	_____
	Picked Up	_____

**Please specify "single" or "package" when ordering****Packages of 250 or Single Forms (No Charge)**

# SGL	# PKG	Form Number/Item Name	# SGL	# PKG	Form Number/Item Name
		Form 1-First Report of Injury/Illness (Rev. 12/00)			Form 4-Compensation & Expense (Rev.95)
		Form 12-Insurance Coverage (Rev. 6/95)			Form 4A-Compensation & Expense Cont. (Rev. 91)
		Form 4-Subsequent Report (Rev.12/00) ( <b>Effective 7/1/2001</b> )			

**Packages or Single Pamphlets (No Charge)**

# SGL	# PKG	Item Name
	(50)	Rights & Obligations (English 2/01)
	(50)	Rights & Obligations (Spanish 2/01)
	(50)	Choosing a Doctor for a Work-Related Injury (English 11/99)
	(50)	Choosing a Doctor for a Work-Related Injury (Spanish 11/99)
	(25)	Vocational Rehabilitation Services under Workers' Compensation (English 2/01)
	(25)	Vocational Rehabilitation Services under Workers' Compensation (Spanish 2/01)
	(50)	Informal Dispute Resolution and Mediation (English 1/00)
	(50)	Informal Dispute Resolution and Mediation (Spanish 3/01)

**Single Forms (No Charge)**

Quantity	Form Number/Item Name	Quantity	Form Number/Item Name
	Form 10T-Termination of Corporate Officer Waiver (Rev. 12/96)		Form 50-Choice of Doctor (English 1/97)
	Form 63-1-Request for Independent Medical Examiner (7/97)		Form 50-Choice of Doctor (Spanish 8/97)
	Form 67-2-Notice of Agreement to use a Named Independent Medical Examiner (7/97)		

**Note: Requests for large orders may require additional time for printing; subject to cost.****Turn this page over for additional publications**

**Nebraska Workers' Compensation Court****Order Form****(Fee Items)****Ship To:**

Name \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_

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Phone (\_\_\_\_) \_\_\_\_\_

Nebraska Workers' Compensation Court

P. O. Box 98908

Lincoln, NE 68509-8908

**(402) 471-6468** (Lincoln & out-of-state)**(800) 599-5155** (Nebraska only)**OFFICE USE ONLY**

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**Other Forms & Publications**

Quantity	Form Number/Item Name	Unit Cost	Total
	Form 10W—Corporate Executive Officer Waiver (Rev. 93)	\$1.00	
	Law Book (Includes 2000 Legislative Revision)	\$8.50	
	Rule Book (Rev. 12/00)	\$7.00	
	Annual Report (FY 00)	\$5.00	
	Schedule of Medical & Hospital Fees	<b>1-800-765-6023</b>	

**Payment should be only for publications and/or services indicated on this order form****Total Due****Services: Loss Experience**

Loss Experience: Loss Exp. Employer's Name: \_\_\_\_\_

**\$4.00 per name****All orders must be prepaid before shipping—either by check or money order**

Service and handling charges are included in the listed cost of each item. Forms may be picked up at the court's location, 129 N 10<sup>th</sup>, Suite 300. Please call ahead to be sure your order is ready (if paying with cash, the correct amount is required). Order forms and other information may also be downloaded from the court's internet homepage (<http://www.nol.org/workcomp/>). For further information, or if your order is not received within 3 weeks, please contact the court's information line at either **800-599-5155** (toll-free in Nebraska) or **402-471-6468** (for Lincoln and out-of-state callers).

The Nebraska Workers' Compensation Court also has a "direct to you" subscription service available for \$30.00. Each subscription provides informational material to you as it is updated. For further information contact the court's information line.

**Subscribe Today!****Turn this page over for additional publications**



# NATIONAL CENSUS OF FATAL OCCUPATIONAL INJURIES, 1999

... **CONTINUED FROM PAGE 2**

proprietors, cashiers, and taxicab drivers.

Workers struck by objects or equipment accounted for 10 percent of the fatal work injuries in 1999. These types of injuries increased from the previous year. Electrocutions accounted for 5 percent of the fatal injuries and decreased by 17 percent from 1998. Contact with overhead power lines accounted for about two-fifths of the electrocutions.

On average, about 17 workers were fatally injured each day during 1999. Eighty-three percent of fatally injured workers died the day they were injured; 97 percent died within 30 days. There were 235 multiple-fatality incidents (incidents that resulted in two or more worker deaths), resulting in 617 job-related deaths. Although this was a slight increase over the 227 multiple-fatality events reported for 1998, there was a more substantial increase in the number of deaths resulting from these types of incidents in 1999 than in the previous year, when 555 worker deaths occurred.

## OCCUPATION HIGHLIGHTS

- Occupations with large numbers of fatal injuries included truck drivers, construction trades, and farm occupations.
- Fatal injuries to truck drivers were at their highest level in the eight-year period.
- Mechanics and repairers also reported a noticeable increase in fatal work injuries over the previous year, reaching its highest level in the eight-year period.
- In contrast, the number of fatalities in sales occupations fell to its lowest level during the same period, primarily because of the drop in homicides.

## RELATIVE RISK

A comparison of percent distributions of fatalities and employment can be used to evaluate the relative risk of a job-related fatality for a given industry or worker characteristic. For example, the construction industry accounted for 20 percent of the fatality total, three times its 6 percent share of total employment. While employment can be used to evaluate the relative risk of a fatal work injury, other measures, such as hours worked, also can be used.

## INDUSTRY HIGHLIGHTS

- Industry divisions with large numbers of fatalities relative to their employment include agriculture, forestry, and fishing; construction; transportation and public utilities; and mining.
- Retail trade posted a substantial decline in the number of fatal work injuries in 1999 over the previous year; transportation and public utilities posted a substantial increase.
- A decline in fatal work injuries among government workers resulted in the lowest levels during the eight-year period.

## DEMOGRAPHIC HIGHLIGHTS

- Men, the self-employed, and older workers suffered fatal injuries more often than their employment shares would suggest. Differences in the industries and occupations of these worker groups explain in part their high relative risk of fatal injury on the job.
- Highway-related incidents were the leading cause of job-related fatalities among both men and women. Homicides, which had been the leading cause for women, were the second-leading cause in 1999. Falls ranked second for men.

- Two-fifths of fatally injured workers under 18 years of age were killed while doing farm work; another one-fifth were killed while working for a retail trade establishment.

## BACKGROUND OF THE PROGRAM

The Census of Fatal Occupational Injuries, part of the BLS occupational safety and health statistics program, provides the most complete count of fatal work injuries available because it uses diverse state and federal data sources to identify, verify, and profile fatal work injuries. Information about each workplace fatality (occupation and other worker characteristics, equipment being used, and circumstances of the event) is obtained by cross-referencing source documents, such as death certificates, workers' compensation records, and reports to federal and state agencies. This method assures counts are as complete and accurate as possible. This is the eighth year that the fatality census has been conducted in all 50 states and the District of Columbia. The BLS fatality census is a federal/state cooperative venture in which costs are shared equally.

To see how Nebraska fared in the 1999 Census of Fatal Occupational Injuries and the 1998 Survey of Occupational Injuries and Illnesses, please refer to the Nebraska Workers' Compensation Court's 58th Annual Report, which is now available from the court.

To order a copy of the Annual Report, fill out and send the court's order form (or a written request) along with check or money order for \$5.00 to the Nebraska Workers' Compensation Court, P. O. Box 98908, Lincoln, NE 68509-8908. ❖

## NWCC RELOCATION REMINDER:

**T**he Nebraska Workers' Compensation Court's State Capitol Offices, located on the 12<sup>th</sup> and 13<sup>th</sup> floors, have been temporarily relocated to the old Federal Courthouse, 129 North 10<sup>th</sup> Street, Lincoln, Nebraska. Office phone numbers will remain the same.

**Mail:** All mail, including certified, registered, and express mail should continue to be addressed to the court's post office box: Nebraska Workers' Compensation Court, P.O. Box 98908, Lincoln, NE 68509-8908.

**Deliveries:** When a physical location address is required (FedX, UPS, deliveries, etc.) please use: Nebraska Workers' Compensation Court, 129 North 10<sup>th</sup> Street, Suite 300, Lincoln, NE, 68508.

**Filings (By Mail):** All filings by mail should continue to be addressed to: Nebraska Workers' Compensation Court, P.O. Box 98908, Lincoln, NE 68509-8908.

**Filings (In Person):** Please bring paperwork to 129 North 10<sup>th</sup> Street, 3rd Floor. Use the northwest corner elevators.

**Hearings:** *You are advised to call in advance of any hearings scheduled to confirm our location.*

The Nebraska Workers' Compensation Court's staff at the 525 Building will remain at that location. ❖

### ***CORRECTION:***

The previous *Bulletin* listed an incorrect e-mail address for JoAnn Maurer, assistant to the Omaha Judges. The correct e-mail address is:

***"joannm@wcc.state.ne.us"***

## FAX NUMBERS OF NWCC JUDGES

LINCOLN (402-471-8231): JUDGES BROWN, VAN NORMAN, FITZGERALD & HIGH

OMAHA (402-595-1299): JUDGES COE, CAVEL & RAMIREZ

2001 : 1

BULLETIN



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